

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GEMMA L. PIERCHALSKI and
JOSEPH B. ABRAHAM her husband,

Plaintiffs,

v.

SAMUEL SANDERS and
D. PARTHENIA COGDELL,

Defendants.

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2:18cv1540

Electronic Filing

MEMORANDUM ORDER

AND NOW, this 29th day of April, 2019, the Magistrate Judge having submitted a Report and Recommendation (ECF No. 18) recommending that this action be remanded pursuant to Federal Rule of Civil Procedure 12(b)(1), and the Report and Recommendation having been served on the parties, and defendants having filed objections,

Accordingly, after a *de novo* review of the pleadings and documents in this case, together with the report and recommendation and the objections thereto,

IT IS HEREBY ORDERED that Plaintiffs' motion to remand is **GRANTED** and this case is **REMANDED** to the Court of Common Pleas of Allegheny County, Pennsylvania for all further proceedings FORTHWITH;

IT IS FURTHER ORDERED that the objections are overruled;

IT IS FURTHER ORDERED that the Report and Recommendation of Chief Magistrate Judge Cynthia Reed Eddy (ECF No. 18) is hereby adopted as the opinion of the district court;

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case closed.

s/ DAVID STEWART CERCON
David Stewart Cercone
Senior United States District Judge

cc: David M. Kobylinski, Esquire
Kim A. Bodnar, Esquire
Peter T. Kobylinski, Esquire
Michael J. Diamond, Esquire

(Via CM/ECF Electronic Mail)